

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re :
: Case No. 11-civ-00554 (AKH)
BROADWALL AMERICA, INC. :
:

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In re :
: Case No. 11-civ-00683 (UA)
BRAM WILL EL LLC. :
:

-----X
In re :
: Case No. 11-civ-00684 (UA)
WILLIAM MUSCHEL, LLC. :
:

-----X
BROADWALL AMERICA, INC. :
: Case Nos. 11-civ-00685 (UA)
: 11-civ-00686 (UA)
Plaintiff, : 11-civ-00687 (UA)
:

- against -

BRAM WILL EL LLC, WILLIAM MUSCHEL,
LLC,

Defendants.

-----X
AARON MUSCHEL, :
: Case Nos. 11-civ-00554 (AKH)
Appellant, : 11-civ-00683 (UA)
: 11-civ-00684 (UA)
- against - : 11-civ-00685 (UA)
: 11-civ-00686 (UA)
BROADWALL AMERICA, INC., BRAM WILL : 11-civ-00687 (UA)
EL LLC, WILLIAM MUSCHEL, LLC, :
MORDECHAI MUSCHEL, :
Appellees. :
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**STIPULATION AMONG AARON MUSCHEL, BROADWALL AMERICA, INC.,
BRAM WILL EL LLC, AND WILLIAM MUSCHEL, LLC
REGARDING BRIEFING SCHEDULE**

RECITALS

A. On June 2, 2004, Broadwall America, Inc. ("Broadwall") commenced a case under chapter 11 of title 11 of the United States Code in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court").

B. On October 20, 2004 and December 9, 2004, Broadwall commenced two adversary proceedings in the Bankruptcy Court against Bram Will El LLC ("Bram Will") and William Muschel, LLC ("WM LLC") concerning a dispute relating to two properties, 734 Broadway and 736 Broadway, New York, New York, collectively owned collectively by Bram Will and WM LLC.

C. On February 3, 2005, Bram Will and WM LLC each commenced a case under chapter 11 of title 11 of the United States Code in the Bankruptcy Court.

D. On October 10, 2006, Broadwall commenced three adversary proceedings in the bankruptcy cases of Bram Will and WM LLC (collectively, the "Adversary Proceedings").

E. On September 20, 2010, a motion to approve a settlement (the "Motion") among Broadwall, Bram Will, and WM LLC was filed in the bankruptcy cases of each debtor (collectively, the "Bankruptcy Cases") and the Adversary Proceedings.

F. On October 22, 2010, Aaron Muschel ("Muschel") filed an objection to the Motion (the "Objection").

G. On October 22, 2010, Broadwall filed a reply to the Objection, and on October 25, 2010, Bram Will and WM LLC jointly filed a reply to the Objection.

H. At the hearing on November 2, 2010, Muschel, Broadwall, Bram Will, WM LLC and Mordechai Muschel were heard on the Motion.

I. On or about December 1, 2010, the Bankruptcy Court entered an order (the "Order") granting the Motion in each Bankruptcy Case and Adversary Proceeding. As a result of such Order, on December 1, 2010, the Adversary Proceedings were dismissed and the Bankruptcy Cases were closed.

J. On December 13, 2010, Muschel timely filed a notice of appeal of the Order in each Bankruptcy Case and Adversary Proceeding. The first appeal has been docketed in the United States District Court for the Southern District of New York as case number 11-civ-00554 and assigned to Judge Alvin K. Hellerstein. The other five appeals have been docketed in the United States District Court for the Southern District of New York as case numbers 11-civ-00683, 11-civ-00684, 11-civ-00685, 11-civ-00686, 11-civ-00687 and, as of this stipulation, are unassigned.

K. By letter dated February 11, 2011, Muschel renewed his request that the six appeals be consolidated pursuant to Rule 15 of the Rules for the Division of Business of the Southern District of New York under case number 11-civ-00554.

L. In order to promote efficient case management, the parties have entered into an agreement as set forth below.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between each of the parties listed below their undersigned counsel, as follows:

1. The Opening Brief of Muschel must be filed and served by ~~February 22, 2011~~ 3/14/11.
2. Any Opposition Brief must be filed and served by ~~March 8, 2011~~ 4/11/11.

3. Any Reply Brief of Muschel must be filed and served by March 22, 2011. 4/25/11 Not
4. The above briefing schedule applies to all six appeals of the Order, or upon consolidation of the six appeals, to the consolidated appeal. Argument: May 5, 2011, at 11:00am
5. This Stipulation may be executed in counterparts, including facsimile counterparts.

Dated: February 14, 2011**WESTERMAN BALL EDERER MILL & SHARFSTEIN**

By: Thomas A. Draghi, Esq.
Philip J. Campisi, Jr., Esq.
 1201 RXR Plaza
 Uniondale, NY 11556
 (516) 622-9200

Attorneys for Broadwall America, Inc.

Dated: February __, 2011

GOLENBOCK EISEMAN ASSOR BELL & PESKOE LLP

By: Jonathan L. Flaxer, Esq.
 437 Madison Avenue
 New York, New York 10022
 (212) 907-7300

Attorneys for Aaron Muschel

Dated: February __, 2011

BACKENROTH, FRANKEL & KRINSKY, LLP

By: Scott A. Krinsky, Esq.
 489 Fifth Avenue, 28th Floor
 New York, NY 10017
 (212) 593-1100

*Attorneys for Bram Will El LLC & William Muschel, LLC***SO ORDERED:**This 15 day of Feb., 2011

[Signature]
 UNITED STATES DISTRICT JUDGE

3. Any Reply Brief of Muschel must be filed and served by March 22, 2011.
4. The above briefing schedule applies to all six appeals of the Order, or upon consolidation of the six appeals, to the consolidated appeal.
5. This Stipulation may be executed in counterparts, including facsimile counterparts.

Dated: February __, 2011

**WESTERMAN BALL EDERER MILL &
SHARFSTEIN**

Dated: February __, 2011

**GOLENBOCK EISEMAN ASSOR BELL
& PESKOE LLP**

By: _____

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Philip J. Campisi, Jr., Esq.
1201 RXR Plaza
Uniondale, NY 11556
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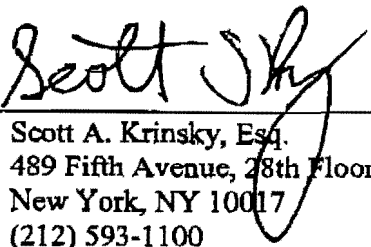
Attorneys for Broadwall America, Inc.

Attorneys for Aaron Muschel

Dated: February __, 2011

**BACKENROTH, FRANKEL & KRINSKY,
LLP**

By: _____


Scott A. Krinsky, Esq.
489 Fifth Avenue, 28th Floor
New York, NY 10017
(212) 593-1100

*Attorneys for Bram Will El LLC & William
Muschel, LLC*

SO ORDERED:

This __ day of __, 2011

UNITED STATES DISTRICT JUDGE

3. Any Reply Brief of Muschel must be filed and served by March 22, 2011.
4. The above briefing schedule applies to all six appeals of the Order, or upon consolidation of the six appeals, to the consolidated appeal.
5. This Stipulation may be executed in counterparts, including facsimile counterparts.

Dated: February __, 2011

**WESTERMAN BALL EDERER MILL &
SHARFSTEIN**

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Thomas A. Draghi, Esq.
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1201 RXR Plaza
Uniondale, NY 11556
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Dated: February __, 2011

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LLP**

By: _____

Scott A. Krinsky, Esq.
489 Fifth Avenue, 28th Floor
New York, NY 10017
(212) 593-1100

*Attorneys for Bram Will El LLC & William
Muschel, LLC*

SO ORDERED:

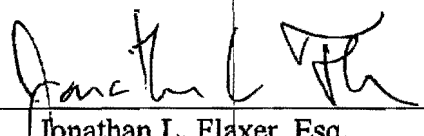
This ____ day of _____, 2011

UNITED STATES DISTRICT JUDGE

Dated: February 14, 2011

**GOLENBOCK EISEMAN ASSOR BELL
& PESKOE LLP**

By: _____


Jonathan L. Flaxer, Esq.
437 Madison Avenue
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Attorneys for Aaron Muschel